



4 August 2004

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington D.C. 20554

Re: WCB Docket Nos. 01-338, 96-98, 98-147

Dear Ms. Dortch:

On August 4, 2004, the undersigned, together with Julia Strow of Cbeyond, made an *ex parte* presentation to Jessica Rosenworcel of the Office of Commissioner Michael Copps in the above-referenced dockets. In its presentation, ALTS urged the Commission to recognize the likelihood that high capacity loop and transport facilities, and in particular DS-1 UNEs, will be reinstated by the Commission in its upcoming permanent rules proceeding. As such, as detailed in ALTS' July 22, 2004, letter to Chairman Michael Powell, it would be highly disruptive to the communications marketplace to impose cost increases on, or permit incumbents to deny access to, such facilities while the Commission works to complete its permanent rules. ALTS urged the Commission to take the necessary steps to protect small businesses by expressly insulating DS-1 UNEs from such transitional price increases.

Respectfully submitted,

/s / Jason Oxman

*Jason D. Oxman
General Counsel
Association for Local
Telecommunications Services
888 17th Street, NW, Suite 1200
Washington, DC 20006
Office: 202-969-2587 / Fax: 202-
969-2581
E-mail: joxman@alts.org*